

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ALFONSO R. MOSLEY,

Plaintiff,

vs.

POWERBALL POWERPLAY,

Defendant.

**8:24CV504**

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's correspondence dated May 19, 2025, which the Court construes as a motion for extension and for status. Filing No. 8. Plaintiff asks if the court "could postpone the trial until [Plaintiff] get[s] out of jail or grant [him] a settlement that is fair or at least give [him] an opportunity to prove [his] case." *Id.* at 2. Plaintiff also asks to "know the outcome of the case." *Id.*

Upon consideration, Plaintiff's motion is granted to the extent he seeks information regarding the status of his case, but the motion is denied in all other respects. Plaintiff is advised that this case was dismissed without prejudice on March 3, 2025, because Plaintiff failed to pay the \$405.00 filing and administrative fees or file a request for leave to proceed in forma pauperis by February 24, 2025, as directed by the Court. Filing Nos. 6 & 7. This case is, thus, closed. If Plaintiff wants to pursue his claims against the defendant Powerball Powerplay, then he will need to file a new complaint and pay the \$405.00 filing fee or request leave to proceed in forma pauperis,<sup>1</sup> which he may do using the enclosed forms.

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<sup>1</sup> If Plaintiff is granted leave to proceed IFP, he will be allowed to pay the Court's \$350 filing fee in installments. *See* 28 U.S.C. § 1915(b)(1); *In re Tyler*, 110 F.3d 528, 529–30 (8th Cir. 1997). He would not be subject to the \$55.00 administrative fee assessed to non-IFP plaintiffs. Prisoner plaintiffs are

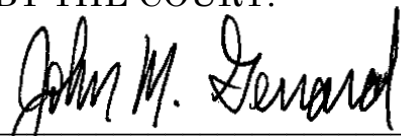
IT IS THEREFORE ORDERED that:

1. Plaintiff's motion, Filing No. 8, is granted to the extent he seeks to know the status of his case, but the motion is denied in all other respects.

2. The Clerk of the Court is directed to send to Plaintiff the Form Pro Se 14 Complaint for Violation of Civil Rights (Prisoner) and the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").

Dated this 5th day of June, 2025.

BY THE COURT:

  
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John M. Gerrard  
Senior United States District Judge

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required to pay the full amount of the Court's \$350.00 filing fee by making monthly payments to the Court, even if the prisoner is proceeding IFP. 28 U.S.C. § 1915(b).